

United States District Court  
Northern District of Ohio  
Office of the Clerk  
801 West Superior Avenue  
Cleveland, Ohio 44113-1830

Geri M. Smith  
Clerk of Court

(216) 357-7000

Writer's Direct Dial 216-357-7007

July 23, 2010

**VIA E-MAIL TRANSMISSION**

Mary Ann Rabin  
Rabin & Rabin Co., LPA  
1510 Illuminating Bldg.  
55 Public Square  
Cleveland, OH 44113

Re: **Energy West, Inc. v. United States Power Fund, L.P.**  
United States District Court Case No. 1:09 CV 0591

Dear Ms. Rabin:

In accordance with Local Rule 16.6(c), you have been selected as the potential [Mediator](#) in the above referenced case. It is requested that you perform a conflict check to determine whether you can serve as the [Mediator](#). Please advise me of your availability as soon as possible. I am providing you with a copy of the docket sheet which discloses the names of the parties and attorneys of record, which will enable you to check for potential conflicts of interest. Also, enclosed is a copy of the [Order](#) of Referral to Mediation for your information.

Please respond to this request by **Thursday, July 29, 2010**. Pursuant to the [Order](#) of July 15, 2010, the mediation process must be completed by September 15, 2010, with a report to be manually filed within 10 days of conclusion of the initial or subsequent mediation conference(s), or in any event not later than September 29, 2010. If you agree to accept assignment as the [Mediator](#), please update your e-mail notification list in CM/ECF in order to ensure that you will receive all further ADR notifications, documents and correspondence through electronic notification. Finally, if for some reason you must decline, it is imperative that your response is received by the ADR office by the date requested.

I thank you for your prompt attention to this request.

Very truly yours,

/s/ **Peggy Nichols**  
ADR Administrator

Enc.  
ltr-neu.frm

U.S. Court House  
568 Federal Building  
2 South Main Street  
Akron, OH 44308-1876  
330-252-6000

114 U.S. Courthouse  
1716 Spielbusch Avenue  
Toledo, Ohio 43624-1347  
(419) 213-5500

337 Thomas D. Lambros  
Federal Building and U.S. Court House  
125 Market Street  
Youngstown, OH 44503-1787  
330-884-7400

**CERTIFICATE OF SERVICE**

A copy of the within letter requesting a conflict check was filed electronically this 23rd day of July, 2010. Notice of this filing will be sent to all parties by operation of the court's electronic filing system. Parties may access this filing through the court's system.

/s/ Peggy Nichols

ADR Administrator

216-357-7007

Fax 216-357-7040

[Peggy\\_Nichols@ohnd.uscourts.gov](mailto:Peggy_Nichols@ohnd.uscourts.gov)